

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOHN J. BARNOCKY, JR.,)
)
 Plaintiff,)
)
v.) 1:19CV483
)
USP CANAAN, et al.,)
)
 Defendant(s).)

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on May 21, 2019, was served on the parties in this action. Plaintiff filed two documents which have been docketed as supplements to the Complaint. (Docs. 4, 5.)

To the extent Plaintiff's supplements can be construed as objections to the Recommendation, the court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination, which is in accord with the Magistrate Judge's report. Additionally, to the extent the documents supplement the Complaint, the supplements do not cure the deficiencies cited in the Recommendation. The court therefore adopts the Magistrate Judge's recommendation.

Because Plaintiff states that he is unaware of the federal district in which his current Bureau of Prisons facility in

Waymart, Pennsylvania, is located, the court provides the following where any motion pursuant to 28 U.S.C. 2241 should be filed:

U.S. District Court
Middle District of Pennsylvania
PO Box 1148
Scranton, PA 18501-1148

IT IS THEREFORE ORDERED that this action be filed and dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint which corrects the defects cited in the Recommendation and is filed in a proper district. A judgment dismissing this action will be entered contemporaneously with this Order.

/s/ Thomas D. Schroeder
United States District Judge

August 20, 2019